

PUBLIC HEARING-- July 14, 1965

Appeal #8240 Elizabeth Wilson Fleming, appellant.

The Zoning Administrator District of Columbia, appellee.

On motion duly made, seconded and unanimously carried the following Order was entered on July 14, 1965:

ORDERED:

That the appeal to provide accessory off-street parking to serve the medical office building located on lot 12, square 15, premises 2520 and 2522 L St. N. W., said parking to be located on lot 60, square 14 (SEE B.Z.A. Appeals 8194-95-94 for lots 37, 38, 39, square 14; and lots 806, 807 and 19, square 15), be granted.

From the records and the evidence adduced at the hearing, the Board finds the following facts:

(1) The records and the evidence adduced in appeals 8194-95-96 are incorporated into this appeal by reference.

(2) Appellant proposes to develop lot 12, square 15 with a medical office building and to provide accessory parking to serve said buildings on lots 806, 807, 808 and 19, square 15, and lots 37, 38, 39 and 60 in square 14.

(3) Lots 806, 807 and 808, in square 15 will be leased by the appellant for the purpose of establishing on said lots accessory parking for lot 12, square 15, however, they appellant can not guarantee that the parking on these lots will continue.

It is impracticable to locate such parking spaces within the principal building or within the same lot on which said building is located due to the restricted size of the lot, adverse adjoining ownership and the improvements now located on lot 12, square 15.

(5) That the spaces to be located on all of said lots appear to be adequate to serve the needs of the proposed medical building on lot 12, square 15; however, the Board finds that the accessory parking spaces to be provided do not fully meet the requirements of the Zoning Regulations.

(6) At such time as the lots 806, 807 and 808 in square 15 are no longer available for parking the appellants are willing to construct on lots 37, 38, 39 and 60, square 14, a parking deck which will provide more parking spaces than is required under the regulations (58 spaces can be accommodated where only 47 spaces are required).

(7) That the parking spaces proposed to be provided are so located and all facilities in relation thereto are so designed that they are not likely to become objectionable to adjoining and nearby property because of noise, traffic or other objectionable conditions.

(8) That these parking facilities will constitute reasonable and convenient parking for the occupants and guests of the building which they are designed to serve.

(9) The Department of Highways and Traffic offers no objection to the granting of this appeal.

(10) There was some objection to the granting of this appeal registered at the public hearing.

This Order shall be subject to the following conditions:

(a) The parking spaces authorized under the terms of this Order to be located on lots 806, 807 and 808, square 15 shall not be controlled by a covenant with the District of Columbia.

(b) The parking spaces to be provided on lots 37, 38 and 39, and lot 60, square 14 in this appeal, and lot 19, square 15 will require a covenant running with the land in which the owner of the lots, the District of Columbia, and the owner of the building, which said parking serves, agree to reserve said parking exclusively to serve the needs of the building on lot 12, square 15, so long as the improvements to be served exist or so long as said accessory off-street parking is required by the Zoning Regulations.

(c) Attendant parking is required.

(d) All areas devoted to driveways, access lanes, and parking areas shall be paved with materials which form an all-weather impervious surface.

(e) The parking lots shall be so designed that no vehicle or any part thereof shall project over any lot or building line.

(f) Any lighting used to illuminate the parking lots or its accessory buildings shall be so arranged that all direct rays of such lighting are confined to the surface of the parking lot.

(g) The appellants shall for a period of six (6) months following the conversion of the building on lot 12, square 15, evaluate the adequacy of the parking provided under the terms of this Order and the Order in B.Z.A. Appeals 8194-95-95 and at the end of said period of time, shall report the results of such survey to the Board for its consideration.

(h) If at some future date lots 806, 807 and 808 in square 15 are no longer available for parking the appellants shall be required to present to the Board, as a separate appeal, a satisfactory method of providing the required parking.